

Exhibit B

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ALLAN MOONEY,

Plaintiff,

v.

Case No.: _____

FRITO-LAY NORTH AMERICA, INC., and
PEPSICO, INC.,

Defendants.

DECLARATION OF NEIL GLOVER

Pursuant to 28 U.S.C. § 1746, I, Neil Glover, Senior Finance Manager at Frito-Lay North America, Inc. ("Frito-Lay"), hereby declare and state as follows:

1. I make this declaration in support of the Notice of Removal of Defendants Frito-Lay and PepsiCo, Inc. ("PepsiCo"). The facts set forth herein are based on my personal knowledge and my review of Frito-Lay records, and if called as a witness, I could and would testify competently thereto under oath.

2. I understand that Allan Mooney has filed an action against Frito-Lay and PepsiCo challenging the labeling on Tostitos Restaurant Style Tortilla Chips, Tostitos Bite Size Rounds Tortilla Chips, Tostitos Crispy Rounds Tortilla Chips, Tostitos Multigrain Tortilla Chips, Tostitos Scoops Tortilla Chips, Tostitos Multigrain Scoops Tortilla Chips, Tostitos Restaurant Style with a Hint of Lime Flavored Tortilla Chips, Tostitos Restaurant Style with a Hint of Jalapeño Flavored Tortilla Chips, Tostitos Restaurant Style with a Hint of Pepper Jack Flavored Tortilla Chips, Tostitos Artisan Recipes Fire-Roasted Chipotle Flavored Tortilla Chips, Tostitos Artisan Recipes Baked Three Cheese Queso Flavored Tortilla Chips, Tostitos Artisan Recipes

Roasted Garlic and Black Bean Flavored Tortilla Chips, Tostitos Artisan Recipes Toasted Southwestern Spices Flavored Tortilla Chips, SunChips Original Flavored Multigrain Snacks, SunChips Garden Salsa Flavored Multigrain Snacks, SunChips French Onion Flavored Multigrain Snacks, SunChips Harvest Cheddar Flavored Multigrain Snacks, SunChips 6 Grain Medley Parmesan & Herb Flavored Multigrain Snacks and SunChips 6 Grain Medley Creamy Roasted Garlic Flavored Multigrain Snacks (the “Challenged Products”).

3. I also understand that Mr. Mooney seeks court orders prohibiting Frito-Lay from continuing to sell any of the Challenged Products.

4. Frito-Lay’s net profits from sales of the Challenged Products in Minnesota in each of 2010, 2011, and 2012, were significantly greater than \$5,000,000.

5. Frito-Lay’s gross revenues from sales of the Challenged Products in Minnesota in each of 2010, 2011, and 2012, were significantly greater than \$10,000,000.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 20th day of March 2013, in Plano, Texas.

